

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 2266 OF 2005

 Office notes, office :
 Memoranda of Coram, :
 appearances, Court's : Court's or Judge's Orders
 orders or directions :
 & Registrar's orders. :

Mr. R. C. Makhija, for
 petitioner

Mr. Y.S. Shinde, APP for R-1

Mr. Malvankar, representative of
 Court Receiver.

**CORAM: SMT. RANJANA DESAI &
 ANOOP V. MOHTA, JJ.**

DATED: 18/10/2005

P.C.:-

Petitioner has prayed that the
 Court Receiver be directed to file
 criminal complaint against respondent
 3.

2. The petitioner is the son of
 deceased agent of the Court Receiver.
 It is his contention that respondent 3
 has broken open the lock of the suit
 premises of which his father was
 agent.

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3. We have heard the Court Receiver's representative and we have perused the report submitted by the Court Receiver. It appears that the Court Receiver has also submitted his report in the City Civil Court in S C Suit No. 7817/77, in which various prayers are made. One of the prayers is whether the Court Receiver should take back possession of the suit premises from respondent 3. Since the matter is subjudice in the City Civil Court, we do not want to pass any orders in this petition.

4. We only direct the City Civil Court to pass appropriate orders in accordance with law, on the report of the Court Receiver after hearing the parties at the earliest looking to the seriousness of the allegations.

5. Writ Petition is disposed of.

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